



QUESTIONS & ANSWERS

About illegal parcels in
unincorporated
Los Angeles County

WHAT IS AN ILLEGAL PARCEL:

In general, an illegal parcel is one that was divided without having been formally reviewed and approved by the appropriate county agencies. In other words, the parcel has been illegally subdivided from a larger parcel. In such cases, the County is required to record a Notice of Violation (NOV) and notify the property owner of the illegal status. The laws, which apply to this area, are the State Subdivision Map Act and the Los Angeles County Subdivision Ordinance.

WHAT DOES IT MEAN TO HAVE AN ILLEGAL PARCEL?

It means that no building permit may be issued until the violation is corrected. In addition, a Notice of Violation is a recorded document and therefore it serves to notify any subsequent purchaser, through the title report, of the illegal status of the property.

WHY IS THE COUNTY SO CONCERNED ABOUT MY "ILLEGAL" PARCEL?

State law requires that Los Angeles County, along with other counties and cities, regulate and control the subdivision of land. In this way streets, drainage, sewage disposal, fire access and other factors associated with good subdivision planning can be provided for.

HOW DID THE COUNTY FIND OUT ABOUT MY ILLEGAL PARCEL, SINCE IT IS SUCH A LARGE COUNTY?

There are a number of sources of information, which lead to the discovery of illegal land divisions. Most of the information comes from the Tax Assessor's records. The County has land division specialists who are trained in title searching and other facets of determining illegal subdivision activity. Any fact that makes us aware of even ONE illegal parcel in any given area can, upon investigation, lead to a "chain-reaction" involving ALL of the parcels that were illegally created in that area.

MY PARCEL IS SHOWN AS A SEPARATE NUMBERED PARCEL ON THE ASSESSOR'S MAP. WHY DO YOU SAY IT'S NOT LEGAL?

The Assessor assigns numbers to parcels for appraisal and tax purposes only. He is not directly involved in the process of approving proper subdivisions and must recognize separate ownership and separate tax bills even if the land has been illegally divided.

BUT THE PERSON WHO SOLD IT TO ME IS THE ONE WHO BROKE THE LAW; I DIDN'T DO ANYTHING WRONG. WHAT CAN BE DONE ABOUT IT?

In some cases it may be possible to void the sale and recover costs and damages. However, this is a complicated legal matter

which you should seek advice from an attorney experienced in land division law. People who engage in illegal subdivision activity are subject to prosecution within certain time limits of the dates of occurrence. The Department of Regional Planning refers such cases to the District Attorney's Office for action.

WHAT CAN I DO TO LEGALIZE MY PROPERTY?

In most cases, one can apply for a Certificate of Compliance. This assumes of course, that other factors are OK, such as zoning and lot size. Before submitting such an application, however, you should check with the Department of Regional Planning. Through the Certificate of Compliance, you MAY be asked to provide the improvements (e.g., roads, water) that would have been required had it been legally divided. Once those requirements have been determined, a Conditional Certificate of Compliance is recorded. After these conditions are met and you have acquired your Building Permit, you would then be able to build on your parcel.

WHAT IS A "CERTIFICATE OF COMPLIANCE"?

A "Certificate of Compliance" (CC) is a recorded document certifying a parcel as complying with state and local land division laws. A person who receives a Notice of Violation or any owner who is trying to establish the legality of their parcel can apply for it.

MUST I FILE FOR A CC NOW?

No. If you have no current plans to build or sell, you may wish to wait to a later date to "legalize" your parcel. No penalty is imposed.

WILL COUNTY PROSECUTE ME OVER MY "ILLEGAL" PARCEL?

Rest assured that Los Angeles County intends to try and HELP its law-abiding citizens. There are many, many innocent purchasers of illegally subdivided parcels. All that the County is now trying to do is assure safe and orderly development.

WHY DIDN'T THE TITLE COMPANY TELL ME MY PARCEL WAS ILLEGAL?

Title companies only insure ownership and not how the property can be used. They may ask the County for verification that a title transfer meets requirements of subdivision laws and ordinances. This has not been their common practice in the past.

HOW DO I APPLY FOR A CERTIFICATE OF COMPLIANCE?

Forms and instructions are at our Los Angeles office and in our field offices. They may also be downloaded from the Department's web site: <http://planning.co.la.ca.us> Applications submitted through the mail cannot be accepted. All applications must be submitted at our Los Angeles office or one of our field offices. There is a fee. Please call for this information.

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